

# RANGE OF THERMOMETER.

Following was the range of the thermometer at The Times office yesterday: 9 A. M., 72; 12 M., 74; 3 P. M., 76; 6 P. M., 68; 9 P. M., 63; 12 M., 58. Average temperature, 66.

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# EIGHT-HOUR DAY BILL WAS PASSED

# Extends Law to All Government Contract Work

# PRISON MADE GOODS.

# Interstate Traffic in Them Prohibited by House Measure.

# STATUS BOER COMMISSIONERS.

# Resolution Extending Them Privilege of the Floor of the Senate Precipitated a Warm Debate, But Was Defeated—Postoffice Bill Passed—Clark Case Went Over.

WASHINGTON, May 21.—The House to-day, under suspension of the rules, passed two important bills reported by the Committee on Labor, to extend the eight-hour law to all laborers employed under contract on Government work, and the other to prohibit interstate traffic in prison-made goods by bringing them under the jurisdiction of the police powers of the State.

The former bill is designed to carry the law of 1892 to its logical conclusion. The eight-hour labor bill caused some sharp inquiries by members from Southern States where prison labor is employed in the fields and in the mines, but upon assurances that it would not interfere with the production of coal, cotton or lumber, the opposition was not pressed.

Payne, of New York, floor leader of the majority, offered a joint resolution for adjournment of Congress on Wednesday, June 6th. It was referred to the Ways and Means Committee.

When the eight-hour bill came up, Mr. Bailey, of Texas, questioned the power of Congress to deny an American citizen the right to sell ten hours of labor a day if he chooses.

Mr. Gardner replied that to get a decision on that point the laborer must object. "Objection, however, will never come from that source," said he.

After others had expressed their views the bill was passed—131 to 22.

**CONVICT LABOR BILL.**  
Mr. Gardner then moved the passage, under suspension of the rules, of the convict labor bill.

Mr. Maddox, of Georgia, said the bill was very important to his State, and demanded an explanation of its purpose.

The Bailey asked why the committee had not included in its bill a provision against trust-made goods.

Mr. Gardner explained his committee had no jurisdiction over them, and later refused to accept an amendment including them.

Mr. Lentz (Democrat) arraigned the other side for its refusal.

The bill was passed over until division. The remainder of the day was devoted to District of Columbia business.

The conference reports of the agricultural and the fortifications bills were adopted, and that on the army appropriation bill returned to conference on objection to \$50,000 appropriated for a library at Manila. At 5:06 P. M. the House adjourned.

**In the Senate.**

WASHINGTON, May 21.—A pyrotechnic display on the status of the Boer commission now in the Senate, and a resolution offered by Mr. Allen, extending to commissioners the privilege of the floor of the Senate during their sojourn in the national capital.

The resolution was defeated by a vote of 26 to 21, but not until a sharp controversy between its author and Mr. Davis, chairman of the Committee on Foreign Relations.

Mr. Allen maintained that the resolution was in line with precedents, while Mr. Davis contended that, in the peculiar circumstances, the Senate ought not to take any action that might be considered a recognition of Boer diplomats until the President, who alone had the power to receive diplomatic representatives, had taken action.

The postoffice appropriation bill was passed finally, the amendment to appropriate \$25,000 to carry out existing contracts for the pneumatic tube service being agreed to.

An effort was made by Mr. Morgan, of Alabama, to displace the Spooner Philippine bill with the Nicaragua Canal bill as the unfinished business, but it failed by a vote of 21 to 24.

The Morgan resolution, directing an investigation by the Inter-oceanic Canal Commission, looking to ascertaining whether there is any corporation or organization of individuals whose purpose is the obstruction of the United States in constructing an Isthmian Canal and for other purposes, was adopted.

**CLARK CASE.**

The resolution relating to the Montana senatorial case was over until Thursday.

Sullivan, of Mississippi, offered a resolution directing the Secretary of the Treasury to inform the Senate whether volunteer officers and men in the late war with Spain were paid twice for the same service, and to report to the Committee on Military Affairs.

Consideration of the postoffice appropriation bill was resumed, but Mr. Tillman announced that he proposed to speak on the Boer question. He recalled in sarcasm the reception of Kossuth, and only by the Senate and by the people of the United States, but also by the people of Great Britain, and then declared the voting down of the resolution was "a cowardly truckling to British influence."

Mr. Hear characterized the Boer struggle as the best fighting done on this planet since Thermopylae, and than which there had been no holier cause. "This is a diplomatic mission," he added, and therefore opposed the resolution.

The amendment of Mr. Lodge to the postoffice appropriation bill was adopted—29 to 18. It appropriates \$25,000 to carry out existing contracts for the pneumatic tube service, the service not to be extended until Congress had taken further action.

Mr. Wolcott then offered a committee amendment directing the Postmaster General to make an investigation of the pneumatic tube service, and report to Congress whether it would be advisable to continue the service as at present, discontinue it or have it acquired by the government.

The amendment carried 50,000, and was agreed to.

The bill as amended was reported to the Senate. The bill was then passed.

Mr. Morgan moved to proceed to consider the Nicaragua Canal bill; motion

# DECLINES TO INTERFERE.

# Can Take no Further Steps in Mediating Between Boers and Britons.

WASHINGTON, May 21.—The State Department has met the issue raised by the coming to Washington of the Boer delegation by declining to interfere on behalf of the South African Republics in the present struggle.

The meeting between the delegates and Secretary Hay was brought about in the simplest manner.

At the hour fixed, 2:30 o'clock, the three delegates appeared and were shown at once into the diplomatic room. Secretary Hay cordially visited his visitors. Just what passed between them probably will never be exactly known, for the doors, in departing, stated that they had, and would have, nothing to say as to what happened.

For his part the Secretary of State was more communicative, but before any statement made his way to the White House and consulted with the President. Then he came out through his secretary, the statement that any further action of the United States seemed undesirable under existing circumstances. The steps taken by the President in his earnest desire to see an end to the strife which has caused so much suffering may already be said to have gone to the extreme limit permitted to him.

The President himself shares in the sincere desire that the war should close, but having done his full duty in preserving a strictly neutral position between them, and seizing the first opportunity that presented itself for tendering his good offices in the interest of peace, he feels that in the present circumstances no course is open to him except to persist in the policy of impartial neutrality.

The Boer representatives will be received by the President at the White House at 10 o'clock to-morrow.

# BRITISH NEARING VAAL RIVER.

The Migration from Pretoria Has Already Begun.

LONDON, May 21.—A M.—British horsemen, according to reports from Lorenzo Marques, are closing in on the Vaal River, within forty miles of Johannesburg.

The migration from Pretoria has begun. Women and children are being sent in trains to Mafeking, on the way to Lydenburg. The train left for Lydenburg, filled with passengers; among whom are many Germans bound for Europe.

A correspondent with General Hunter telegraphs as follows from Fourteen Square:

"Colonel Mahon's relieving column left Barkly West, under secret orders, May 4th, and left Vryburg May 11th. The Boers marched on the right flank of the British, and a strange race followed. Mahon pressing forward Mafeking with the most speed consistent with keeping the force in condition, and the Boers hurrying in an effort to pass him and to throw themselves across his path.

"The Boers succeeded; Mahon then turned back during the night. The Boers followed, overtook, and attacked him in the bush, but were beaten off. Then Mahon and Plimmer united forces at Jamsila. May 16th, and Mafeking was relieved three days later. General Hunter is credited with devising and guiding the relief.

# Official Confirmation.

LONDON, May 21.—3:35 P. M.—The following dispatch has been received from Lord Roberts at the War Office:

"Kroonstadt, May 21st.  
"The following is from Hunter: Mafeking is relieved. Mahon entered it May 15th."

# Mrs. Lee Lands in New York.

NEW YORK, May 21.—Mrs. Fitzhugh Lee, wife of the Military Governor of Havana, and members of her family, arrived here to-day on board the United States transport Sedgwick, from Havana.

# THE AMERICANS ARE BESIEGED

# Occupy a Few Coast Towns in Southern Luzon Which are Constantly Being Assailed.

MANILA, May 21.—General James M. Bell, commanding the American provinces of Southern Luzon, has issued an order to his officers not to attempt to organize the municipal governments as prescribed by Major-General Otis, in his recent order, on account of the disturbed conditions. The Americans occupy a few coast towns, which the insurgents surround, constantly assailing the garrisons, which are too small to attempt operations in the surrounding country.

Major Wise, with two companies, is in Denzel, an important town of Sorogoon, surrounded by a thousand insurgents. The Americans occupy trenches, and are continually exchanging shots with the enemy. Several regiments are needed to control each southern province, but they cannot be spared from their present stations.

Another squadron of cavalry will be sent to General Bell.

On the first trouble occurring with the Morros, in the southern part of Manila, at Cottabato, Major Brett sent a detachment to preserve peace at a conference between two quarrelling chiefs. During the conference the tribesmen began shooting. One of the bands fired upon the Americans from an old Spanish fort. The soldiers returned the fire, killing several of the natives, but they were unable to take the fort, although a gunboat shelled it.

Major Brett is sending a larger body to punish the recalcitrant.

The first death of a white man from bubonic plague occurred to-day. The victim was a government teamster. Several natives have died since the outbreak of the plague at Quiapo Market.

**Sharp Engagement.**

WASHINGTON, May 21.—The War Department received a cablegram this morning from General MacArthur at Manila, telling of a sharp engagement on the 14th instant, at Agusan, in Cagayan Province. The loss in killed was 32. The American loss was two killed and three wounded. General MacArthur reports:

"Colonel Edwin A. Godwin, 40th Regiment, U. S. V. Infantry, reported an engagement May 14th, thirty men, 40th Regiment, under Captain Elliott, at Agusan, near Cagayan, Cagayan Province. (Mindanao) enemy strong, in a position, routed, 32 killed, 31 insurgents and quantity of ammunition captured. Our loss in killed: Company 1, 40th Regiment, Corporal McNeill and John W. Shaw."

The dispatch reports that the wounded, all with slight thigh wounds, are Corporal Jack Cooke, Artillery, Edwin E. Dodds, of Company 1, and Mack D. Smith, of Company K.

# Election May 24th. To Call Constitutional Convention. Vote for It.

# PRESBYTERIANS TO STAND FIRM

# No Danger of Change of Creed in South.

# DR. FLEMING'S REPORT

# The World Needs the Faith of the Reformers.

# THEOLOGY THAT DENIES CHRIST.

# The Report Received With Evident Signs of Approval, and no Matter What the Northern Church May do There Will be no Change in the Faith of the Southern Members.

ATLANTA, GA., May 21.—Special.—The Presbyterian General Assembly, which has been busy with routine business up to now, has begun the debates on interesting church questions.

At 11 A. M. Rev. Dr. Fleming, of Lynchburg, Va., made the report as the representative of the Western Section of the Pan Presbyterian Alliance, and gave a clear, instructive and forcible presentation of the history and work of the Alliance. He said, in part:

"We have demonstrated not only the essential oneness of our churches, but we have also shown the world its need of the faith of the Reformers."

# DENIAL OF SCRIPTURE AUTHORITY.

"We are standing to-day face to face with a theology which virtually denies the authority of the Holy Scriptures, which defines sin as the result of environment and lack of development; which, while it pretends to exalt the world's Redeemer and claims special loyalty by the cry 'Christ, Christ, Christ,' really acknowledges Him only or chiefly as a religious genius of the first order."

"Supported by all the history of the past, I boldly make the claim that the world's greatest need is in the reaffirmation of the creed and the standards of the Reformation."

# WILL STAND BY THE CREED.

These sentiments of Dr. Fleming were received by the assembly with such evident signs of approval as to show that there is no danger of a movement to revise or change the standards or creed of the Southern Church, whatever may be done by the Northern Church.

There are no signs of any heresy trials to come before the Assembly.

The hymn book to be adopted will bring a breeze, and the war will warm debates on some questions of executive administration, but the debates are all kindly and good natured.

# THE NEGRO PROBLEM.

At 5 o'clock a large and interested audience gathered to hear the report on the evangelization of the negroes. On this live subject, so full of interest, and, perhaps, also of peril to our Southern people, the Presbyterian Church (South) has been at work for years, but a full and active and adequate interest in it needs to be awakened.

To arouse this interest in the minds of the members of the General Assembly and the audience was, in part, the subject of the meeting to-night. Rev. Donald McQueen read the report of the Assembly's committee, and urged the vast importance of the work.

"When a man goes as a missionary to the negroes in Africa he is canonized; when he goes to the negroes in America he is ostracized," the speaker said.

Rev. D. C. Sily, D. D., of Tuscaloosa, secretary of the Assembly Executive Committee of Colored Evangelization, said in part:

# NEED TO BECOME FARMERS.

"This work of our Church is not in a prosperous condition. It needs help and sympathy and interest. The industrial education of the negro cannot be his salvation. If he is taught a trade, he must go to a town or city to live by his trade; and the negro who has been taught trades do not stick to those trades, but go into some other work. If he is taught a trade he will be crowded out of profitable work by trades unions, which will grow up in the South where the negroes mostly live. Our institute at Tuscaloosa has tried the experiment of training in agriculture the students of the preparatory department with hopeful results.

"If any industrial training will do the negro great good it is training as a farmer. The only culture of his soul and moral character. The negro is imitative. He will take his relation if we give it with our sympathy. The call is very strong to our Church. We are nearly all negroes now. He is at our very door."

We must that we understand the negro; let us prove it by giving him the religion he needs. We cannot evade the duty. God help us to use our power and life up the lowly and lost."

# REV. D. B. WILSON.

Rev. D. B. Wilson, D. D., read the memorial of Rev. O. B. Wilson, the superintendent of Tuscaloosa Institute, who was killed by lightning April 16th, and the faithful missionary to the negroes, who gave to them without salary the earnest, loving care of his life, and whose place cannot soon be filled. The memorial will be printed soon in pamphlet form, showing what a man we have lost and what a work he has done. This son of Virginia has been a life in the service of the negro, for his satisfaction and uplifting. Our Church is asking who will take his place?

# OVERTURES.

ATLANTA, May 21.—At the fifth day's session of the thirty-ninth annual session of the Southern General Assembly of the Presbyterian Church to-day, the question as to individuals overturning the Assembly was again raised. Two overtures were offered from M. C. Taylor, of Hix, Tex., regarding divorce, and another from Robert Osborne, of Petersburg, Va., asking a change in the book of Church.

The discussion as to whether these overtures should be received became general, there being a diversity of opinion among the commissioners whether individuals should file petitions to the higher court, before the lower court had been appealed to.

The law of the Church on overturning was read, but this was apparently construed by the commissions, who made ar-

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# CONSECRATION OF BISHOP KEYE

# Will Take Place in This City on June 3d.

# CARDINAL GIBBONS

# Will Conduct the Impressive Ceremony at St. Peter's Cathedral.

# IS A NATIVE OF VIRGINIA.

# Bishop Keye Was Born in Petersburg and Was a Private in General Kemper's Command in the Confederate Army at the Age of Seventeen—Was Made a Priest Here.

SAVANNAH, GA., May 21.—The consecration of Bishop-elect Keye, of the Savannah Diocese, will take place in St. Peter's Cathedral, Richmond, Va., Pentecost Sunday, June 3d, next.

The ceremony of consecration will be conducted by Cardinal Gibbons, and the assistant consecrators will be Bishop Donoghue, of Charleston, and Bishop Monahan, of Wilmington, Del.

Bishop Keye is a native of Virginia, having been born at Petersburg October 13, 1847. He was a private in General Kemper's command in the Confederate Army at seventeen years of age. After a short and probably unsatisfactory experience as a newspaper reporter, he began to prepare himself for the priesthood, his theological studies being completed at the American College, at Rome. He was consecrated a priest in St. Peter's Cathedral, Richmond, Va., in 1873. He is a brother of Hon. A. M. Kelley, formerly Mayor of Richmond, and now judge of the International Court, at Cairo, Egypt.

# BECKHAM WINS GOVERNORSHIP

# Writ of Error in Kentucky Contest Dismissed by Supreme Court for Want of Jurisdiction.

WASHINGTON, May 21.—The United States Supreme Court to-day decided the Kentucky Governorship case in favor of Governor Beckham. The court dismissed the writ of error from the Kentucky Court of Appeals.

The opinion was handed down by Chief Justice Fuller, and a vigorous dissenting opinion was delivered by Justice Harlan, the only one to advocate reversal of the Kentucky court decision. Justices Brewer, Brown and McKenna also dissented from portions of the opinion.

In dismissing the writ, Chief Justice said the court should be the last to overstep the bounds limiting its own jurisdiction, and that in the determination of cases of this character, contests for State offices must necessarily be settled by the political branch of the government. That branch had acted in the Kentucky case when the General Assembly took jurisdiction. There was no appeal from the Assembly decision, which was favorable to Gebel and Beckham, except to the Federal Circuit Court, which the Chief Justice said, was always in session.

**PURELY A STATE CASE.**

He also said the case was purely a State case; that Kentucky was in the full possession of its sovereignty as a member of the Union, and that there was no emergency at this time calling for interference of the general government to enforce constitutional guarantees or to put down domestic violence.

"For more than one hundred years the Constitution of Kentucky has provided that contested elections for Governor and Lieutenant-Governor shall be determined by the General Assembly."

"The highest court of the State has often held and in the present case, too, has declared that under their constitution the privileges of the power of the General Assembly is exclusive, and that its decision is not open to judicial review. Many of the States have similar constitutional provisions and similar statutes."

"We do not understand this statute to be objected to, or in any way obnoxious."

The Chief Justice quotes numerous decisions that public offices are merely agencies or trusts, and not property as such, nor are the salary or emoluments property, but compensation for services actually rendered.

"In short," he said, "the nature of the relation of a public office to the public is, generally speaking, inconsistent with either property or a contract right."

# DENIED NO RIGHT.

"The Court of Appeals not only held that the office of Governor or Lieutenant-Governor was not property under the Constitution, but, moreover, that court was of opinion that the constitutional provisions of the right to these offices, denied no right secured by the fourteenth amendment."

After quoting section four, article four, of the Constitution, in which the United States guarantees to every State a republican form of government, etc., the court says it was long since settled that the enforcement of this guarantee belonged to the political department.

"We must decline to take jurisdiction on the ground of deprivation of right, embraced by the fourteenth amendment, without due process of law, or of the violation of the guarantee of Republican form of government, by reason of similar deprivation."

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# THE PRESIDENT ANSWERS SENATE

# Inquiries as to Filipino Insurrection.

# THE CORRESPONDENCE

# Shows There Was No Request for Peace After First Outbreak.

# THE FLAG NEVER SALUTED.

# Dewey Says no Vessel Under His Command Saluted the Flag of So-Called Filipino Republic and There Was no Assistance to Nor Cooperation With Aguinaldo's Forces.

WASHINGTON, May 21.—The President to-day sent to the Senate a response as to the resolution asking for a report as to the alleged negotiations for peace on February 5, 1899, after the breaking out of the Filipino revolution.

The reply contains the following correspondence by cable:

"Adjutant-General's Office, Washington, April 30.—Cablegram.—To Otis, Manila: Cable whether General Torres came to you under flag of truce February 5, 1899, and stated Aguinaldo declared fighting had begun accidentally and not authorized by him; that Aguinaldo wished it stopped and something could not be done to stop the fighting, as establishment of neutral zone of width agreeable to you, so during peace negotiations there might be no further danger of conflict. Whether you replied, 'Fighting having begun, must go on to grim end.' (Signed) 'OTIS.'"

# OTIS' REPLY.

The following is General Otis' reply: "Manila, May 1, 1899.—To Adjutant-General, Washington, D. C.: General Torres, citizen resident of Manila, who had served as member of insurgent commission, reported evening February 5th asking if fighting could not be done to stop the fighting, as establishment of neutral zone. I replied Aguinaldo had commenced the fighting and must apply for cessation. I had nothing to request from General Torres. He asked permission to send Colonel Arguizel to Malolos, and Arguizel was passed through lines near Cabocan next morning. He went direct to Malolos, told General Aguinaldo and Mabini that General Otis would permit suspension of hostilities upon their request. They replied declaration of war had been made, a copy of which they furnished him. They said they had no objection to suspension of hostilities, but beyond this general remark made no response, and declined him to ratify the message. Arguizel reported that he conveyed my statement; that they had commenced the war, and it must go on, since they had chosen that course of action, but did not attempt to induce them to make any proposition as to future action of cordiality. The insurgent chief authorities made no proposition and did not intend to make any, nor did they attempt to do so until driven out of Malolos. My hasty dispatch of about that date misreading. Took no action. Several days ago in order to fully understand temper of insurgents at early period of war. (Signed) 'OTIS.'"

# LEFT TO HIS OWN JUDGMENT.

There were a great many questions asked in the resolution which was adopted on April 23th. In his reply the President states:

"General Otis was not directed by the Secretary of War to make such an answer as is set forth in the resolution, nor were any answers to communications upon the subject of the cessation of hostilities prescribed by the Secretary of War to General Otis, but he was left to exercise, in respect thereof, his own judgment, based upon his superior knowledge of the conditions surrounding his troops. I also transmit a copy of a cable dispatch from General Otis, sent from Manila, February 8th, 1899, received in Washington February 9th, 1899, being the same dispatch to which he refers in his reply of May 1st, 1899, as misleading. So far as I am informed, General Otis did not afterwards reply, except as set forth in his said dispatch of May 1st, 1899. He was not directed by the Secretary of War to reply, and no answer was made by him to the Secretary of War as to an application to cease fighting. There appears to have been no such application."

The correspondence includes the following reply to the Secretary of the Navy from Admiral Dewey, as to whether the flag of the Filipino Republic was ever saluted by the Admiral:

# FLAG WAS NOT SALUTED.

"Washington, May 15th.  
"Sir.—In replying to the Department's letter of the 11th instant, I have the honor to inform you that the flag of the so-called Filipino Republic was never saluted by me or any of the vessels of the squadron under my command."

"2. Isla Grande, Subig Bay, was captured by the Raleigh and Concord under my orders, as reported in my telegram of July 10th, 1899. There was no assistance to or co-operation with Aguinaldo's forces."

"3. The vessels named captured the Spanish garrison off Iloilo Island without assistance from any one, as indicated in the above mentioned dispatch."

"4. The said garrison was turned over to the Filipinos for safe-keeping, as shown in the report made by Captain J. E. Coghlan, United States Navy, on file in the Department. The prisoners had refused to give parole and there were no facilities at my command for their care. Aguinaldo had promised that they should be treated humanely and according to the laws of war, and I have respectfully."

(Signed) "GEORGE DEWEY.  
"Admiral, United States Navy."  
"To the Secretary of the Navy."

"The dispatch of May 1st, 1899, referring to the President's letter, and which Otis said was 'misleading,' contained the following:

"Night of fourth, Aguinaldo issued the following proclamation, declaring war, with initiative and declared war. Sunday issued another, calling all to resist foreign invasion. His influence throughout this section destroyed. Now applies

# for cessation of hostilities and conference. Have declined answer."

# RATHBONE SUSPENDED.

Joseph L. Bristow Made Acting General of Posts of Cuba.

WASHINGTON, May 21.—The Postmaster-General to-day issued the following: "Ordered, that Estes G. Rathbone be, and he is hereby, suspended from the office of Director-General of Posts of Cuba; that Joseph L. Bristow, Fourth Assistant Postmaster-General, be, and he is hereby, appointed Acting Director-General of Posts of Cuba, without other salary than that of Fourth Assistant Postmaster-General; that all records, books, papers, supplies and other properties of the Department of Posts of Cuba shall be under the custody of the Acting Director-General of Posts, hereby appointed."

(Signed) "CHAS. EMORY SMITH, "Postmaster-General."

It is presumed that the action taken to-day was based upon reports received by the Postmaster-General from Fourth Assistant Postmaster-General Bristow at Havana.

The Postmaster-General, when asked if Mr. Rathbone's suspension was due simply to malice, answered that such might be the inference drawn.

When asked if Mr. Rathbone was at liberty to leave the island, the Postmaster-General replied that General Wood, acting as chief of the subject, and would act as he thought proper. As it was stated, however, that the ex-Director-General would be investigated together with all others connected with the alleged frauds, he apparently is under surveillance.

Mr. Rathbone's salary as an official ceased with the order announcing his suspension. Whether or not his connection with the postal service has been severed permanently was not stated.

The Postmaster-General said he would welcome an investigation of the postal affairs of Cuba, as he was confident they would bear the closest examination.

**Rathbone Relieved.**  
HAVANA, May 21.—Fourth Assistant Postmaster-General to-day took over the direction of the postal affairs of the island, relieving Estes G. Rathbone, who was suspended Saturday.

The suspension had been generally expected, as the charges against Mr. Rathbone of criminal negligence have been multiplying daily.

Mr. Bristow and the inspectors have found nothing but chaos throughout the entire department. Often no records were kept for days at a time.